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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

NGUYEN, QUANG N

ART UNIT PAPER NUMBER

2141

DATE MAILED: 06/03/2003

17

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/523,853

Applicant(s)

PARTOVI ET AL.

Examiner

Quang N. Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 March 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. This Office Action is in response to the Amendment B filed on 05/09/2003. Claims 1-13 are presented for examination. Claims 1-9 and 13 have been amended.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. **Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Shaffer et al. (US 6,240,170), herein after referred as Shaffer.**

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4. As to claim 1, Shaffer teaches a method and apparatus for selecting a language (i.e., a voice character or a dialect) to communicate with a user of a voice mail or computer system comprising:

selecting at least one voice character prosody setting based on the telephone identifying information (Shaffer, steps 100-104 and 112 of Fig. 2); and

presenting information according to the at least one voice character prosody setting over the telephone interface using the first computer (Shaffer, C3: L1-64).

5. As to claims 2-4, Shaffer teaches the method of claim 1, wherein the telephone identifying information is used to identify a locale having a corresponding dialect in the set of dialects, the telephone identifying information is associated with a preferred dialect in the set of dialects and the voice character prosody setting comprises the corresponding dialect selected from a set of dialects (Shaffer, C3: L48-64).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 5-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer, in view of Wise et al. (US 5,884,262), herein after referred as Wise.

8. As to claims 5-7, Shaffer teaches the method of claim 1, but does not explicitly teach the voice character prosody setting comprises one of a male voice and a female voice, a high volume setting and a lower speech pattern.

In the related art, Wise teaches a method and a computer network audio access and conversion system allowing a user to access information via a simple telephone wherein the method comprising: presenting information in different voice characters (low male, female, contrasting voices, etc.) depending on the content of the presented information over the telephone interface (see Wise, C2: L18-25).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify and combine the teachings of Shaffer and Wise to include male voice, female voice, high volume setting, etc, in the voice character prosody setting to present information over the telephone interface because it would enhance the ability of voice processing systems to allow users to interact with electronic communication systems in a preferred voice character prosody setting according to the users location or identification.

9. As to claims 8, 11 and 13 Shaffer-Wise teaches a computer system supporting user personalized profiles using a telephone identifying information comprising:

a database including personalization profiles for a plurality of users, each profile defining preferences, personalizing a corresponding user's interactions with the computer system, and indicating a voice character prosody setting (Wise, memory 330 of Fig. 3, C8: L65-67 and C9: L1-26);

a server supporting the Internet interface, the server allowing access to, and modification of, the personalization profiles by the corresponding users (Wise, C8: L44-54 and Shaffer, C4: L19-23);

a telephone interface subsystem supporting the telephone interface to receive the telephone identifying information (Wise, call manager 210 of Fig.2 and Shaffer, telephone interface 54 and ANI decoder 56 of Fig. 1, C3: L33-67 and C4: L1-5).

10. As to claim 9, Shaffer-Wise teaches the computer system of claim 8, wherein if the voice character prosody setting for a user is system default, and wherein if the voice character prosody setting for a user is a system default, using a locale corresponding to the telephone identifying information to select a voice character prosody setting (Shaffer, C3: L1-67 and C4: L1-5).

11. As to claim 10, Shaffer-Wise teaches the computer system of claim 8, wherein the telephone identifying information includes caller number identifications (CIDs), wherein the CIDs are used by the first program code to perform matching of calls to personalization profiles (Wise, C3: L9-18 and Shaffer, C3: L65-67 and C4: L1-5).

12. As to claim 12, Shaffer-Wise teaches a computer system as in claim 8, wherein the telephone interface subsystem includes a call manager supporting multiple simultaneous telephone calls over the telephone interface (Wise, call manager 210 of Fig. 2, C5: L45-65, C6: L14-30 and C8: L37-43).

Response to Arguments

13. In the remarks, applicant argued in substance that

(A) Prior Art does not teach, disclose, or suggest "a method of presenting information over a telephone interface according to a voice character prosody setting as claimed".

As to point (A), Shaffer teaches in some instances, a country may have more than one official language or more than one dialect of a common language, in which case, the most popular language or the most popular dialect (i.e., according to at least one voice character prosody setting) is first selected determined by the country code and the area code contained in the telephone number of the calling party and presented over a telephone interface (Shaffer, C32-64).

In addition, Wise teaches a computer network audio access and conversion system capable of presenting information over a telephone interface in different voice character prosody setting such as a low male voice, a female voice, a contrasting voice, etc., depending on the content of the information (Wise, C2: L18-25).

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14. Applicant's request for reconsideration as well as arguments filed on 05/09/2003 have been fully considered but they are not deemed to be persuasive.

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Nguyen whose telephone number is (703) 305-8190.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's primary, Bunjob Jaroenchonwanit, can be reached at (703) 305-9673. The fax phone numbers for the organization is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Quang N. Nguyen

A handwritten signature in black ink, appearing to read 'Bunjob Jaroenchonwanit', with a stylized, cursive script.

Bunjob Jaroenchonwanit